

Document No. 3888
Voted at Meeting of 11/8/79

3888
3888

BOARD OF APPEAL REFERRALS

NOVEMBER 8, 1979

1. Z-4547 Jimmy Coleman
198 Washington Street, Dorchester
2. Z-4549 I. Avellino
640 Hyde Park Avenue, Roslindale
3. Z-4550 Devonshire-Milk Associates
50 Milk Street, Boston
4. Z-4579 Christian Science Church - Church Realty Trust
1-9 Belvidere Street, Boston
5. Z-4587-4591 The Children's Museum
60 Burroughs, 100 Pond, 51-55-57 Eliot Street, Jamaica Plain
6. Z-4592 Devens H. Hamlen, Trustee
927-939 Boylston Street, Boston
7. Z-4596-4597 John Hancock Life Insurance Co.
Westbrook Village Trust
202-278-280-290 Independence Drive,
525-623-627-683 VFW Parkway,
148-170 Thornton Road, West Roxbury

MEMORANDUM

NOVEMBER 8, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 11/20/79

Z-4547
Jimmy Coleman
198 Washington Street,
Dorchester
at Eldon Street

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Use premises for retail sale automotive
equipment and sale of used motor vehicles.

Violation(s):

SectionRequiredProposed

8-7. Outdoor sale of motor vehicles is forbidden
in an L-1 District.

Present legal occupancy is retail sales of automotive equipment.
Proposed sale of five used cars will not have an adverse impact.
Recommend approval with provisos.

VOTED: In reference to Petition Z-4547, brought by
Jimmy Coleman, 198 Washington Street, Dorchester,
for a forbidden use for use of premises for
retail sale automotive equipment and sale of
used motor vehicles in a Local Business (L-1)
District, the Boston Redevelopment Authority
recommends approval with the following provisos:
That no more than five used cars be permitted
on the lot at any time; that vehicles for sale
exhibit no signs, printings or other displays;
that no banners, flags, spinners be allowed;
that plans be submitted to the Authority for
design review.



Z-4547
198 WASHINGTON ST.
(DOR.)

Board of Appeal Referrals November 8, 1979

Hearing: 11/20/79

Z-4549
I. Avellino
640 Hyde Park Ave., Roslindale
At Canterbury Street

District(s):	apartment_____	general business_____	industrial_____
	residential R-.5_____	local business L-.5_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Install two gasoline storage tanks (10,000 & 5,000 gallons).

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
----------------	-----------------	-----------------

8-7. Gas service station is forbidden in R-.5 District

8-7. Gas service station is conditional in L-.5 District

Facility has created neighborhood concern over appearance and operation. Staff recommends that petitioner meet with neighborhood group to resolve these concerns before proceeding. Recommend Denial without Prejudice.

VOTED: In Reference to Petition Z-4549, brought by I. Avellino, 640 Hyde Park Avenue, Roslindale, for a forbidden use and a conditional use to install two gasoline storage tanks in Residential (R-.5) & Local Business (L-.5) District, the Boston Redevelopment Authority recommends denial without prejudice. Facility has created neighborhood concern over appearance and current operation. Petitioner should clean and maintain the facility in an orderly manner, remove junk cars and meet with neighborhood group to resolve complaints.



Z-4549
640 HYDE PARK AVENUE
(ROS.)

Board of Appeal Referrals

November 8, 1979

Hearing: 11/20/79

Z-4550
Devonshire-Milk Associates
50 Milk St., Boston
At Devonshire Street

Parking Lot

District(s): apartment _____ general business B-10 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect 21-story office, retail, garage structure.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Accessory garage is conditional in a B-10 restricted parking district.		
15-1. Floor area ratio is excessive.	10	16.7
20-1. Rear yard is insufficient.	18 ft.	0
21-1. Setback of parapet is insufficient.	15 ft. 45 ft. 51 ft.	0
24-1. Off-street loading facilities are insufficient.	3 bays	2 bays

Site is located directly opposite the Federal Post Office Building and presently occupied as a public parking lot for fee. Structure of stone and glass construction will contain 10,540 square feet of commercial retail space at ground level and 62 accessory parking spaces on second, third and fourth levels, and offices on upper floors. Proposal is consistent in scale with nearby buildings. Plans have been progressively reviewed with staff. Recommend approval with proviso.

VOTED: In reference to Petition Z-4550, brought by Devonshire-Milk Associates, 50 Milk Street, Boston, for a conditional use and four variances to erect a 21-story office, retail, garage structure in a General Business (B-10) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Board of Appeal Referrals 11/8/79

Hearing: 1/22/80

Z-4579
Christian Science Church - Church
Realty Trust
1-9 Belvidere Street &
156-162 Massachusetts Ave., Boston

One-story structure

District(s): apartment _____ general business B-2 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from six stores and
post office to four stores, dance studio
and fish market-restaurant.

Violation(s):
Section

Required

Proposed

8-7. Dance School is conditional in a B-2 District.

Dance Studio is consistent with commercial area. Community
and FENPAC support. Recommend approval.

VOTED: In reference to Petition Z-4579, brought by
Christian Science Church - Church Realty
Trust, 1-9 Belvidere Street and 156-162
Massachusetts Avenue, Boston, for a conditional
use for change of occupancy from six stores and
Post Office to four stores, Dance Studio and
Fish Market-Restaurant in a General Business
(B-2) District, the Boston Redevelopment
Authority recommends approval. Dance Studio
is consistent with commercial area; community
and FENPAC support.



Z-409

156-162 MASSACHUSETTS AVENUE
1-9 BELVIDERE ST.
(B.P.)

CITY
AUDITORIUM

HOTEL
TOWER

ST CECILIA
R.C. CHURCH

MASSACHUSETTS
M.T.A. STATION

CHARLES
NEWCOMB
SQUARE

CHRISTIAN SCIENCE PUBLISHING SOCIETY

Board of Appeal Referrals 11/8/79

Hearing: 11/27/79

Z-4587-4591
The Children's Museum
60 Burroughs, 100 Pond, 51-55-57 Eliot
Streets, Jamaica Plain

Three 2½-story structures and carriage house/auditorium

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.3 manufacturing _____

Purpose: Change occupancy from museum buildings and caretaker's house to 24 condominium units; erect new 5-unit condominium structure; combine three parcels of land into one lot.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7 Multi-family structures forbidden in a single-family district.		
10-1 Parking spaces not allowed in a required front yard.		
14-2 Lot area per additional dwelling unit is insufficient.	6,000 sf	3,311 sf
15-1 Floor area ratio is excessive.	0.3	0.5
16-1 Height is excessive.	35 ft.	38 ft.
18-1 Front yard is insufficient.	30 ft.	25 ft. 20 ft.
19-1. Side yard is insufficient.	15 ft.	None
20-1. Rear yard is insufficient.	50 ft.	None None

The Authority's previous vote approving zoning exceptions for Planned Development Area No. 12 was based on the project as a whole, whereas the Board of Appeal treats each building as a separate case. Thus five forbidden uses must be granted for multi-family dwellings in a single-family district, and the dimensional deviations are similarly increased in number. I recommend that the Authority rescind the previous vote and adopt an adjusted vote, as follows:

Z-4587-4591 (continued)

VOTED: That in reference to Petition Nos. Z-4587-4591, The Children's Museum, the Boston Redevelopment Authority hereby rescinds its third vote of October 18, 1979, in the series of votes relating to Planned Development Area No. 12; and further

VOTED: That in reference to Petition Nos. Z-4587-4591, The Children's Museum, for five forbidden uses, sixteen dimensional exceptions, and two exceptions for off-street parking located in a required front yard, all in a single-family (S-.3-D) planned development area subdistrict, the Boston Redevelopment Authority recommends approval provided that the final plans be submitted to the Authority for design review to ensure that the plans are consistent with the plans previously approved by the Authority. This recommendation shall not be valid unless and until the Zoning Commission of the City of Boston duly adopts a map amendment designating the land involved as an S-.3-D zoning district.



Board of Appeal Referrals 11/8/79

Hearing: 11/13/79

Z-4592

Devens H. Hamlen, Trustee
927-939 Boylston Street, Boston
at Hereford Street

Three-story structure (Tennis and Racquet Club)

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from club to private club and restaurant with dancing; erect two one-story extensions.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Restaurant with dancing is conditional in a B-10-155 district.		

Maxwell's Plum Limited proposes to renovate the structure for a restaurant, sidewalk cafe, and banquet area with accessory bar, dancing, and entertainment room. Courts and other club amenities would be preserved with modifications. Free valet parking service will be provided at Prudential garage. Facility could accommodate approximately 700-800 persons. Metal and glass cafe addition is proposed to be constructed along Boylston Street, and second addition would enclose kitchen space and loading dock area. Recommend approval with provisos.

VOTED: In reference to Petition Z-4592, brought by Devens H. Hamlen, Trustee, 927-939 Boylston Street, Boston, for a conditional use for change of occupancy from club to private club and restaurant with dancing in a general business (B-10-155) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the closing hour be 1:00 A.M. daily; that free valet parking be provided during all hours of operation and that a long-term lease be negotiated with Prudential garage; that entertainment be limited to soft piped music or live groups of three or fewer; that dancing be allowed only in connection with banquet functions; that bar area be limited to 20 percent of capacity of establishment open to public exclusive of banquet area; that in restaurant and cafe areas, liquor be served only with meals; that restaurant, banquet, and cafe areas not be used for bar overflow; that interior area be provided to accommodate all patrons desiring entrance and that no exterior waiting be allowed at any time; that trash be compacted and stored inside until pick-up; that all deliveries and trash pick-up be off street and alley and occur between 9 A.M. and 4 P.M. daily; that the alley be kept open at all times; that conditional use extend to lessee and expire upon sale, lease, or other disposition.



Z-4592

927-939 BOYLSTON ST.
(B.R.)

Hearing: 11/20/79

Westbrook Village Housing Development

Z-4596-4597

John Hancock Life Insurance Co.

Westbrook Village Trust

202-278-280-290 Independence Drive

525-623-627-683 VFW Parkway

148-170 Thornton Road, West Roxbury

District(s): apartment _____
residential R-.5
single family _____general business _____
local business L-.5industrial _____
waterfront _____
manufacturing _____

Purpose: Subdivide Land.

Violation(s):

SectionRequiredProposed

19-1-5 Side yards are insufficient.

20-1-5 Rear yards are insufficient.

23-1-2-4 Off-street parking is insufficient.

14-5 Unobstructed access to units on rear of lot is not provided.

Proposal would create lots for the commercial and residential properties of the development allowing for separate tax assessments. Violations are technical with no adverse impact. Recommend approval.

VOTED: In reference to Petitions Z-4596-4597, brought by John Hancock Life Insurance Co. & Westbrook Village Trust, 202-278-280-290 Independence Drive, 525-623-627-683 VFW Parkway, 148-170 Thornton Road, West Roxbury, for twelve variances to subdivide land in Residential (R-.5) and Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval. Subdivision will allow separate tax assessments. Violations are technical with no adverse impact.

Z-4596-97

202-290 INDEPENDENCE DRIVE
505-683 V.F.W. PARKWAY
148-170 THORNTON ROAD
(W.R.)

